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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,245

01/26/2004

Olivier Michel Monique Ceulemans

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10/10/2006

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EXAMINER

MUSSER, BARBARA J

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/763,245

Applicant(s)

CEULEMANS, OLIVIER MICHEL
MONIQUE

Examiner

Barbara J. Musser

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-44 is/are pending in the application.
- 4a) Of the above claim(s) 32-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 23-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 23, it is unclear whether "different material strips" means the strips are made of different materials, or are simply different strips. For the purposes of examination, this is considered to only require different strips. It is unclear what is meant by "a series of movable press-on parts". A series implies the items are in a row such that one is encountered after the other in the direction of movement of the web. However, applicant's specification indicates the "series of ...parts" means a set of pressing parts in parallel so that they all contact the web at the same time perpendicular to the web direction. This is considered to be the meaning of this phrase for the purposes of examination. It is unclear what is meant by "press-on parts" as normally press-on implies something is pressed on and joined. It is suggested this be amended to -pressing--.

Regarding claim 24, it is unclear if "exclusive use" means that the magnetic force is the only force that presses the press-on parts to the support element, and absent its presence no pressure would occur, or that magnetic force is only used in that step, and not in any other step in the process.

Regarding claims 28 and 29, it is unclear what is meant by "are at least realized".

Claim Rejections - 35 USC § 102

Claim Rejections - 35 USC § 103

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23, 27, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative under 35 U.S.C. 103(a) as obvious over, Zimmer(U.S. Patent 5,303,440).

Zimmer discloses a method of pressing on a web wherein the web is guided over a support(8,18) and pressed against the support by means of a set of magnetic pressing parts.(Col. 7, ll. 33-37; Figure 1) While the reference does not explicitly state there are multiple pressing parts, the reference indicates, there are multiple independently adjustable magnetic field units. One in the art would understand that if there was only one roller, these independent magnetic units would not perform any

function as multiple portions of a rigid flat continuous surface cannot be closer or further from a separate flat surface without the use of multiple pressing regions, i.e. multiple pressing parts. It is noted the claim does not require actual manufacture of corrugated board or that the web be bonded to another web as these are part of the preamble and are not referred back to in the body of the claim.

Alternatively, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the pressing device of multiple pressing parts since this would allow separate pressing for each of the magnetic control units, allowing independent pressing and thus better control of the pressing.

Regarding claim 27, Zimmer indicates the magnet can be permanent.(Col. 8, ll. 54-55)

Regarding claim 29, a web is guided between the support element and the pressing parts.(Figure 1)

Regarding claims 30 and 31, since the magnetic forces are independently adjustable, they can be adjusted.(Col. 7, ll. 33-36)

6. Claim 31 is rejected under 35 U.S.C. 102(b) as being anticipated by Sissons(U.S. Patent 5,129,980).

Sissons discloses a method of manufacturing corrugated board wherein the web is guided over a support (11) and is pressed against the support via a plurality of pressing parts(10) which adjust the pressure applied to the web.(Col. 6, ll. 47-48; Figure 4)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 23-27, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sissons in view of Zimmer.

Sissons discloses a method of manufacturing corrugated board wherein the web is guided over a supporting glue roll (11) and is pressed against the support via a plurality of pressing parts(10) which adjust the pressure applied to the web.(Col. 6, ll. 47-48; Figure 4) The reference does not disclose the pressing parts are pressed against the support via magnetic forces, but rather uses springs. Zimmer discloses moving a web over a roll which intended to apply fluids to the web and pressing it against the roll using magnetic forces.(Col. 4, ll. 46-47; Figure 1) This allows automatic setting of the pressure force.(Col. 7, ll. 33-40) It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the springs of Sissons with magnets since this would allow automatic control of the pressing source across the surface(Col. 7, ll. 33-40) rather than the manual control required by providing springs with different forces.(Sissons, Col. 6, ll. 47-48)

Regarding claim 24, since the magnetic force press the pressing parts against the web, and when they are turned off, the parts are not pressed against the web, the pressing force is exclusively magnetic.

Regarding claim 25, Sissons discloses applying bonding agent to the web.(Figure 1)

Regarding claim 26, since the corrugated web of Sissons already has a corrugated web bonded to a liner, one of the web already has bonding agent on it between it reaches the pressing device.

Regarding claim 27, Zimmer indicates the magnet can be permanent.(Col. 8, ll. 54-55)

Regarding claim 29, Sissons discloses a web is guided between the support element and the pressing parts.(Figure 1)

Regarding claims 30 and 31, since the magnetic forces are independently adjustable, they can be adjusted.(Zimmer, Col. 7, ll. 33-36)

9. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Creagan(U.S. Patent 4,948,467) in view of Sissons.

Creagan discloses a method of applying a force to a web on a support(15) by using a pair of opposed parts(26,30), one of them a magnet(30) and the other within the pressing surface(30). This belt prevents friction in the web.(Col. 1, ll. 23-30) It is noted the claim does not require actual manufacture of corrugated board or that the web be bonded to another web as these are part of the preamble and are not referred back to in the body of the claim. The reference does not disclose multiple pressing parts. Sissons discloses a method wherein the web is guided over a support (11) and is pressed against the support via a plurality of pressing parts(10) which adjust the pressure applied to the web.(Col. 6, ll. 47-48; Figure 4) It would have been obvious to one of

Art Unit: 1733

ordinary skill in the art at the time the invention was made to modify the device of Creagan to have multiple pressing belts since this would allow pressure adjustments across the surface of the web.(Col. 6, ll. 47-48)

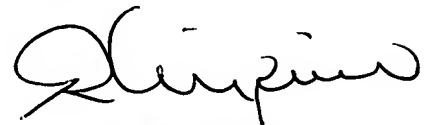
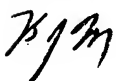
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara J. Musser whose telephone number is (571) 272-1222. The examiner can normally be reached on Monday-Thursday; alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571)-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJM



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